

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

IN RE:

DONALD ALLEN KING : CASE NO.: 16-31400-HCD
Debtor(s) :
:

CHAPTER 13

AMENDED OBJECTION TO PROOF OF CLAIM

AND NOW comes the Debtor, **Donald Allen King**, by his Attorney, Fatima A. Skimin, and files the within Amended Objection to Proof of Claim # 1 of Springleaf Financial Services of Indiana, Inc [Hereinafter referred to as "Springleaf."]

1. Springleaf filed Proof of Claim #1 on 6/28/2016 for an amount of \$12,699.54 as a balance on three surrendered vehicles through this bankruptcy. The vehicles in question are as follows:
 - a) 1967 Ford Mustang, VIN # 7T01T283828;
 - b) 2006 Jeep Corporation-1 Liberty, VIN #1J8GL48K06W104621;
 - c) 2003 Dodge Neon SXT, VIN # 1B3ES56C13D124503;
2. Said proof of claim states a value of \$25,550.00 for all three vehicles, which serve as collateral to secure a loan extended to Debtor by Springleaf.
3. Debtor's Plan is paying 100% to all general unsecured creditors.
4. Springleaf filed a Motion for Relief from Stay (Doc. 44 of 8/5/2016) to repossess the three vehicles. Said Motion states that the fair market value is approximately \$5,525.00 for the Jeep; \$52,200.00 for 1967 Ford Mustang, and \$2,925.00 for a total amount of \$60,650.00.
5. The value of the 2006 Jeep Corporation -1 Liberty VIN #1J8GL48K06W104621 according to the NADA print as attached to Proof of Claim #1 and admitted in Motion for Relief both filed by Springleaf indicates an amount of \$5,525.00. See attached Exhibit A.
6. The value of the 2003 Dodge Neon SXT, VIN # 1B3ES56C13D124503 according to the NADA print as attached to Proof of Claim #1 and admitted in Motion for Relief both filed by Springleaf indicates an amount of \$2,925.00. See attached Exhibit B.
7. On 9/16/2016 an Agreed Order on the Motion for Relief from Stay was entered and states among other things as follows:

"Springleaf Financial Services of Indiana, Inc and the Trustee shall cooperate to resolve how the vehicles can best be liquidated to protect the secured interest of Springleaf and to maximize the value to the estate."
8. As instructed by the Special Order Confirming Plan, the Debtor is cooperating with the Trustee to auction the 1967 Ford Mustang. The Trustee insured the vehicle and is working on its auction.
9. Counsel for Debtor contacted Counsel for Springleaf several times via emails and telephone calls to make pick up arrangement for the 2006 Jeep Liberty and 2003 Dodge Neon from the Debtor's home. Undersigned Counsel's emails and telephone calls to Springleaf's Counsel remain outstanding and unanswered.

10. Debtor objects to Springleaf's claim on the following grounds:
- a) The value of the property on Springleaf's Claim should be stated as \$60,650.00;
 - b) Refusal to abide by the terms of Agreed Court Order entered on 9/16/2016.

WHEREFORE, Debtor respectfully prays that the Court Disallow Springleaf's Proof of Claim # 1.

Respectfully submitted,

/S/ Fatima A. Skimin
Attorney for Debtor
Bar No.: 29758-49
101 W. Ohio Street, Suite 2000
Indianapolis, IN 46204
(317) 454-8060